

**DECLARATION  
FOR PATENT APPLICATION**

As below named inventors,

**David M. ROCKE;**  
**Blythe P. DURBIN**

We hereby declare that our residences, post office addresses and citizenships are as stated below next to our names.

We believe we are original and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: **METHOD FOR DETERMINING MEASUREMENT ERROR FOR NUCLEIC ACID MICROARRAYS**, the specification of which

☐ is attached hereto.

☒ was filed on September 19, 2001 and assigned Application Serial Number 09/955,663.

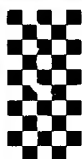
We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign applications for patent or inventor's certificate, listed below and so identified, and we have also identified below any foreign application for patent or inventor's certificate on this invention filed by us or our legal representatives or assigns and having a filing date before that of the application on which priority is claimed.

Number	Country	Day/Month/Year Filed	Priority Claimed - Yes or No

We hereby claim the benefit under Title 35, United States Code, § 120 of any United States applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which



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Attorney Docket No. 19629-7006  
UC Case No. 2001-072-2

occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Serial No.	Filing Date	Status

We hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States provisional application in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior provisional application and the filing date of this application.

Provisional Application No.	Filing Date	Status
60/233,547	September 19, 2000	Abandoned

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first  
joint inventor:

DAVID M. ROCKE

Inventor's signature:  
Residence  
Post Office Address:  
Citizenship:

David M. Rocke  
Davis, California 95616  
39374 Spanish Bay Place  
U.S.A.

Date: 11/7/01

Full name of second  
joint inventor:

BLYTHE P. DURBIN

Inventor's signature:  
Residence  
Post Office Address:  
Citizenship:

Blythe P. Durbin  
Davis, California 95616  
801 North Campus Way  
U.S.A.

Date: \_\_\_\_\_

occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Serial No.	Filing Date	Status

We hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States provisional application in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior provisional application and the filing date of this application.

Provisional Application No.	Filing Date	Status
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Full name of first  
joint inventor:

DAVID M. ROCKE

Date: \_\_\_\_\_

Inventor's signature:  
Residence  
Post Office Address:  
Citizenship:

Davis, California 95616  
39374 Spanish Bay Place  
U.S.A.

Full name of second  
joint inventor:

BLYTHE P. DURBIN

Date: 11/7/01

Inventor's signature:  
Residence  
Post Office Address:  
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*Blythe Durbin*  
Davis, California 95616  
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From-

To-CHIRON CORP. R&D BLD Page 003

Attorney Docket No. 19629-7006  
Client Ref. No. 2001-072-2**CERTIFICATE UNDER 37 C.F.R. § 3.73(b)**Applicant: David M. Roche and Danh V. NguyenApplication No.: 09/955,663Filed: September 19, 2001For: Method for Determining Measurement Error for Nucleic Acid MicroarraysThe Regents of the University of California, a University

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is assignee of the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame(s) \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature: J. Lawrence FoxName: J. Lawrence FoxTitle: Director, Technology Transfer Center, University of California, Davis  
1111 Franklin Street, 5<sup>th</sup> Floor, Oakland, Ca 94607Date: November 9, 2001



## PATENT

Docket No: 19629-7006  
UC Case No. 2001-072-2

Applicant or Patentee: David M. ROCKE;  
Blythe P. DURBIN

Serial No. 09/955,663  
Filed or Issued: September 19, 2001  
For: METHOD FOR DETERMINING MEASUREMENT ERROR FOR  
NUCLEIC ACID MICROARRAYS

Group: Not Assigned  
Examiner: Not Assigned

POWER OF ATTORNEY BY ASSIGNEE  
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71

Dear Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints:

Attorney	Registration No.	Attorney	Registration No.
Beck, David	37,776	Platt, Christian	46,998
Calkins, John W.	43,523	Sampson, Roger	44,314
Coleman James, Patricia R.	37,155	Shuster, Michael J.	41,310
Garnett, Terry	44,698	Thomson, William E.	20,719
Gruppi, Carol M.	37,341	Ullsperger, Christian	48,006
Konski, Antoinette	34,202	Woods, Michael E.	33,466
Maher, David M.	40,077	Yadav, Rajiv	43,999
Phelps, Jennifer M.	48,656	Yip, Vincent K.	42,245

As its attorney to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71.

Docket No: 19629-7006  
UC Case No. 2001-072-2

Please direct all telephone calls to Michael J. Shuster at (415) 393-2651 and all correspondence relative to said application to the following address:

Michael J. Shuster, Ph.D.  
McCutchen, Doyle, Brown & Enersen, LLP  
Three Embarcadero, 18<sup>th</sup> Floor  
San Francisco, CA 94111

Dated: November 9, 2001

ASSIGNEE: THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

Signature: J. Lawrence Fox

Typed Name: J. Lawrence Fox

Title: Director, Technology Transfer Center  
University of California, Davis  
1111 Franklin Street, 5<sup>th</sup> Floor  
Oakland, California 94607